

resources were exposed to the oil, including marsh, shorelines, birds, and water column organisms. A variety of injuries and lost uses of natural resources were documented as a result of that exposure. Access to recreational sites was reduced because of the Incident, thereby affecting human recreational uses of the area.

The incident is subject to the authority of OPA, 33 U.S.C. §2701, et seq.; the Federal Water Pollution Control Act (FWPCA or Clean Water Act), 33 U.S.C. §1251, et seq.; and OSPRA, L.R.S. 30:2451, et seq. NOAA, DOI/USFWS, LOSCO, LDEQ, LDNR, and LDWF are Trustees for natural resources pursuant to Section 2706 of OPA, 33 U.S.C. §2706; Section 311 of the Clean Water Act, 33 U.S.C. §1321; Subpart G of the National Contingency Plan, 40 C.F.R. §§300.600-300.615; and, in the case of the Louisiana Trustees, OSPRA, L.R.S. 30:2451, et seq., and in the case of the Federal Trustees, Executive Order 12777. As a designated Trustee, each agency is authorized to act on behalf of the public under state and/or federal law to assess and recover natural resource damages, and to plan and implement actions to restore natural resources and resource services injured or lost as the result of an incident.

Pursuant to Section 1006 of OPA (33 U.S.C. §2706) and Section 2480 of OSPRA (L.R.S. 30:2480), the designated natural resource Trustees have conducted a damage assessment for this Incident to evaluate potential injuries to natural resources and services, and to determine the need for and scale of restoration actions required. The Draft DARP/EA discusses the natural resources and services, including human recreational use, believed to be affected by the Incident, details the assessment procedures used, outlines the restoration alternative selection and scaling process, and identifies the preferred restoration alternatives to address natural resource injuries and losses of service. The Trustees determined that injured natural resources and services have largely returned to baseline conditions, and are expected to fully return to baseline without requiring any further actions. However, the Trustees have determined that there have been interim losses to habitat services, birds, aquatic fauna, and recreational use that require compensatory restoration to make the environment and the public whole for these losses. Under the preferred restoration alternative, a crevasse will be cut through the bank of South Pass on the Pass-A-Loutre State Wildlife Management Area to allow the formation of a splay marsh that is expected to provide sufficient ecological benefits to compensate for all ecological injuries. Construction of a boat dock and minor improvements to a currently unimproved area on the South Pass on the Pass-A-Loutre State Wildlife Management Area, used for camping, will enhance access to the resources of the management area and vicinity. These actions will compensate the public for the loss of recreational access to the areas' resources during the Incident.

Interested members of the public are invited to request a copy of the Draft DARP/EA from and to submit written comments to either John Kern or Warren P. Lorentz at the addresses given above. All written comments will be

considered by NOAA, DOI/USFWS, LOSCO, LDEQ, LDNR, and LDWF in finalizing the DARP/EA.

Roland Landry  
Oil Spill Coordinator

0109#039

## **POTPOURRI**

### **Department of Insurance Office of the Commissioner**

Bulletin 01 -03

To: All Admitted Insurance Companies, Licensees and Interested Parties

From: J. Robert Wooley, Acting Commissioner

Re: Act 205 - Workers' Compensation Programs

Date: August 20, 2001

This Bulletin is to notify all persons and entities licensed or authorized to transact business in the State of Louisiana of Act No. 205 of the 2001 Louisiana Legislative Session. Act No. 205, effective August 15, 2001, amends LSA-R.S. 23:1174.1(A) and adds LSA-R.S. 23:1174.1(A)(2) relative to workers' compensation programs in the following respects:

Current law permits several methods by which an employer can secure workers' compensation to his employees, including:

...insuring and keeping insured the payment of such compensation with any stock corporation, mutual association, or other concern authorized to transact the business of workers' compensation insurance in this state, including group self insurance as authorized by R.S. 23:1191 et seq. LSA-R.S. 23:1168(A)(1)

Current law also prohibits establishing any unreasonable criteria, policies, or procedures designed to discriminate against a contractor or subcontractor based upon securing their workers' compensation obligation through anyone of the entities described in R.S. 23:1168 above, including a group self insurer. LSA-R.S. 23:1174.1(A)

Act 205 extends this prohibition of discrimination against any employer to insurance companies writing umbrella insurance policies in this state. LSA-R.S. 23:1174.1(A)(2)

J. Robert Wooley  
Acting Insurance Commissioner

0109#005

## **POTPOURRI**

### **Department of Natural Resources Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.